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#3

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
**TUMEY, David**

Assignee: **KCI Licensing, Inc.**

Serial No: **10/090,358**

Filing Date: **March 4, 2002**

Title: **VACUUM ASSISTED WOUND TREATMENT APPARATUS AND  
INFECTION IDENTIFICATION SYSTEM AND METHOD**

Box Missing Parts  
Commissioner of Patents and Trademarks  
Washington, DC 20231

§ Attorney Docket No.: **VAC.702.US**  
§  
§  
§ Examiner: **n/a**  
§  
§ Group Art Unit: **n/a**  
§  
§  
§  
§

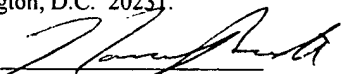
**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts mailed March 25, 2002, having a statutory period for response set to expire on May 25, 2002, Applicant hereby submits a signed Declaration and Power of Attorney and surcharge for late filing of oath / Declaration in the amount of \$130. Please charge Deposit Account No. 50-0326 in the amount of \$130.00 as payment for the required fee.

**Certificate of Mailing**

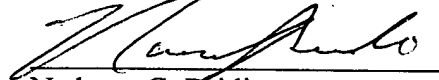
I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail, on the date indicated below and is addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231.

By:   
Typed Name: **Nadeem Bridi**

Date of Deposit: **7 May 2002**

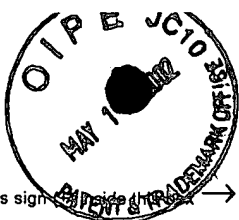
The Examiner is requested to call the undersigned at (210) 255-4543 for any reason that would advance the instant application to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nadeem G. Bridi', is written over a horizontal line.

Nadeem G. Bridi  
Attorney for Applicant  
Registration No. 42,361

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Please type a plus sign (+) in the box if you are filing this form by mail.

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/090,358	
	Filing Date	March 4, 2002	
	First Named Inventor	TUMEY, David	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	10	Attorney Docket Number	VAC.702.US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Cover letter and copy thereof; 2. Copy of fee transmittal form; 3. Return receipt postcard; 4. Copy of Notice to File Missing Parts; and 5. Declaration
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Nadeem G. Bridi
Signature	
Date	7 May 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:		7 May 2002
Typed or printed name	Nadeem G. Bridi	
Signature		Date 7 May 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

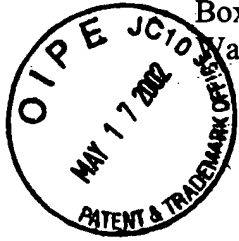


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#3

7 May 2002

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231



Re: Utility Patent Application for  
"VACUUM ASSISTED WOUND TREATMENT APPARATUS AND  
INFECTION IDENTIFICATION SYSTEM AND METHOD"  
Inventor: TUMEY, David  
Filed: 4 March 2002  
Serial No.: 10/090,358  
Attorney Docket No.: VAC.702.US

Dear Sir or Madam:

Enclosed herewith, please find the following for filing in the above referenced matter:

1. Transmittal Form;
2. Fee Transmittal and duplicate thereof for fee processing;
3. Response to Notice to File Missing Parts;
4. Copy of Notice to File Missing Parts of Nonprovisional Application;
5. Signed Declaration;
6. Power of Attorney; and
7. Self-addressed itemized postcard to be returned upon receipt.

Please charge the \$130.00 fee required to Deposit Account no. 50-0326. A copy of this letter and fee transmittal is attached for accounting purposes.

Please contact the undersigned for any questions or concerns at (210) 255-4543. Thank you for your assistance.

Yours very truly,

Nadeem G. Bridi  
Attorney for the Applicant  
Reg. No. 42,361

**Certificate of Mailing**

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail, on the date indicated below and is addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231.

By:   
Typed Name: Nadeem Bridi

Date of Deposit: 7 May 2002

Mailing:  
P.O. Box 659508  
San Antonio, Texas 78265-9508  
1-800-531-5396 / Fax (210) 255-6998

Corporate:  
8023 Vantage Drive  
San Antonio, Texas 78230-4726  
(210) 524-9000

Manufacturing:  
4958 Stout Drive  
San Antonio, Texas 78219-4334  
(210) 662-9191

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
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www.uspto.gov

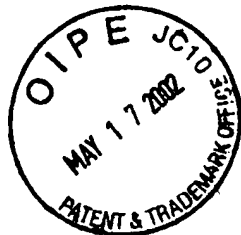
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/090,358	03/04/2002	David Tumey	VAC.702.US

CONFIRMATION NO. 3855

## FORMALITIES LETTER



\*OC000000007706480\*

Kinetic Concepts, Inc.  
Attn: Nadeem Bridi  
P.O. Box 659508  
San Antonio, TX 78265-9508

Date Mailed: 03/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

06/13/2002 NTEKLEMI 00000008 500326 10090358

01 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*M-HAILE

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00

## Complete if Known

Application Number	10/090,358
Filing Date	03/04/2002
First Named Inventor	TUMEY, David
Examiner Name	
Group Art Unit	
Attorney Docket No.	VAC.702.US

## METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0326  
Deposit Account Name Kinetic Concepts, Inc.

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

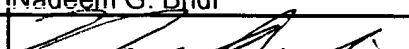
Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Nadeem G. Bridi	Registration No. (Attorney/Agent)	42,361	Telephone	210-255-4543
Signature		Date	05/07/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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